

ENTERED

January 08, 2020

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,	§	
	§	
Plaintiff,	§	
	§	
VS.	§	CRIMINAL ACTION NO. H-19-137-2
	§	
AVERY JAMES,	§	
	§	
Defendant.	§	

ORDER ACCEPTING GUILTY PLEA AND FINDING OF GUILT

The United States Magistrate Judge has submitted her Report and Recommendation that this court accept the guilty plea of Avery James and find him guilty of Counts 1-6 of the Indictment charging assault on a federal officer in violation of 18 U.S.C. § 111(a)(1) and (b) and 2, robbery of a person in lawful control and custody of money of the United States, in violation of 18 U.S.C. § 2114(a) and 2, conspiracy to interfere with commerce by robbery, in violation of 18 U.S.C. § 1951(a), interference with commerce by robbery, in violation of 18 U.S.C. § 1951(a) and 2, and possession of a firearm in furtherance of a crime of violence, in

After the *de novo* review required under 28 U.S.C. § 636(b)(1)(C), this court finds that the record and law support the Magistrate Judge's Report and Recommendation. The court accepts the Report and Recommendation.

Accordingly, the court finds that the defendant, Avery James, is fully competent and capable of entering an informed plea, that he is aware of the nature of the charges made against him and the consequences of his plea, and that his guilty plea is knowing and voluntary and supported by an independent basis in fact containing each of the essential elements of the offense with which he is charged.

The defendant, Avery James, is **GUILTY** of the offense of Counts 1-6 of the Indictment charging assault on a federal officer in violation of 18 U.S.C. § 111(a)(1) and (b) and 2, robbery of a person in lawful control and custody of money of the United States, in violation of 18 U.S.C. § 2114(a) and 2, conspiracy to interfere with commerce by robbery, in violation of 18 U.S.C. § 1951(a), interference with commerce by robbery, in violation of 18 U.S.C. § 1951(a) and 2, and possession of a firearm in furtherance of a crime of violence, in violation of 18 U.S.C. § 924(c)(1)(A)(ii) and 2.

SIGNED on January 8, 2020, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal", written over a horizontal line.

Lee H. Rosenthal
Chief United States District Judge